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Letter From The Editor

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LETTER FROM THE EDITOR

Lady Justice, the symbol most commonly associated with legal systems around the world, depicts the Roman Goddess of Justice, blindfolded and often holding a set of scales in her left hand and a double-edged sword in her right. With time, this symbol has come to represent the idea that Justice is blind, or objective, that it involves weighing the strengths of the arguments of each side and demands a consideration of both justice and reason in reaching a conclusion.

As professionals, and as members of our communities, we have a responsibility to seek justice. However, even when our definitions differ, the commitment to justice held by professionals in the criminal legal community remains strong. On January 31, 2007 WCL Professors Angela Davis and Randall Eliason, who each contributed articles on the role of the American prosecutor in our first two issues, headlined a panel of distinguished practitioners who debated this topic. Vanessa Martin has captured the essence of this debate in her article "A Discussion of 'The American Prosecutor: Power, Discretion and Accountability'."

While our goal is Justice, what happens when it is led astray? Several articles in this issue look at the subject of wrongful convictions in our society and their repercussions. Meggan Smith, in her article "Have We Abandoned the Innocent? Society's Debt to the Wrongly Convicted," spotlights the growing number of individuals within our criminal justice system found to be wrongfully convicted and questions what kind of compensation and support we as a community owe these individuals as they integrate back into society. In "The 'Exceptionally Troubling' Murder Conviction of Jose Garcia," Matthew Bosher tells the dramatic story of this man and his fight for exoneration after being sentenced to twenty-five years in prison for a murder committed in New York City - a murder committed while Mr. Garcia was in jail in the Dominican Republic. Rita Mitchell questions the difference between "real truth" and "legal truth" in a unique analysis of two films giving very different portrayals of the trial of Bruno Richard Hauptmann in "Bruno or Richard Hauptmann: Representations of a Conviction in the Lindberg Kidnapping Case."

*Criminal law also reaches beyond the street into the boardroom. In December 2006 the Department of Justice announced major revisions of its principles governing corporate prosecution. The "McNulty Memo" replaced what has been known as the "Thompson Memo" and follows a decision by Judge Lewis A. Kaplan of the U.S. District Court for the Southern District of New York, in the *United States v. Stein*, most commonly known as the "KPMG case." Joshua G. Berman and Machalagh Proffit-Higgins take a critical look at Judge Kaplan's decision and the subsequent changes in DOJ policy in "Prosecuting Corporations: The KPMG Case and the Rise and Fall of the Justice Department's 10-year War on Corporate Fraud."*

A student editorial column has been added to the Criminal Law Brief beginning this spring. Rita Montoya's compelling editorial "The Death Penalty: An Endangered Species Worthy of Extinction" is sure to provoke important questions and discussion.

This is the final issue for the current Executive Board and many of us have been with the Brief since its inaugural issue was published in February 2006. We have worked hard to create a publication that provides a forum for discussion, a platform for debate, and yet does not shy away from controversy. I am excited about the future of the Criminal Law Brief and look forward to seeing it grow and mature under the guidance of a new Executive Board. I would like to personally thank my Executive Board and the dedicated students who have given so much of their time and energy over the past two years to make the Criminal Law Brief a success. It has been an honor for me to serve as your Editor-in-Chief and I wish you all the very best in the future.

*Laurita M. Denny
Editor-in-Chief*